lary of the Treasury, accompanied with the direction, under the President's own hand, to that officer to govern himself accordingly. It is hiso proved that on the 22d day of December, Mr. Johnson appointed Mr. Cooper, who had been his private secretary and intimate friend, Assistant Secretary of the Treasury. The evidence fully sustains the statements made in the opening argument of Manager Butter, in support of article nine. The facts in regard to General Emory's interview with the President were then well known to the Managers, and the argument and view presented in the opening contain all that is necessary to be said upon that article. It may be added, however, that although the President on the 22d had obtained from General Emory what he now says was the purpose of this interview, a knowledge of the number and assignment of troops in the city of Washington, yet, on the following day, Sinday, the 23d of February, he had an interview with General Wallace, apparently for no other purpose than to get from him the same information, which, on the preceding day, it is for no purpose of protection or indemnity or punishment that we arraign Mr. Johnson for words spoken in Washington, Cleveland and St. Louis. We do not arraign him for the words spoken to the charge in substance is, that a man who could utter the words, which, as is proven, were uttered by him, is unfit for the office he holds. We claim that the common law of crimes, as understood and enforced by Parliament in cases of impeachment, is in substance this: that no person in office shall do any act contrary to the good morals of the office, and that, when any officer is guilty of any act contrary to the good morals of the office which he holds, that act is a misdemeanor for the purpose of impeachment and removal from office.

The gentleman, after reading extracts from the President's speeches, said there was no doubt about their having been uttered, and that that utterance was a declaration made in accordance with a fixed design, and the evidence indicate

at St. Louis were blasphemous and cannot be acgravated by anything which his counsel may offer. Upon these facts the prosecution call for conviction on the indictments set forth in the tenth article.

His orposition to a account of the respondent of the misdemeanors set forth in the tenth article.

Article eleven sets forth that the object of the President in most of the offences alleged in the preceding articles was to prevent the execution of the act passed March 2, 1867, entitled "An act for the more efficient government of the rebel States." It is well known, officially and publicly, that on the 29th of May, 1865, Mr. Johnson issued a proclamation for the reorganization of the government of North Carolina, and that that proclamation was followed by other proclamations, Issued during the next four months, for the government of the several States which had been engaged in the rebellion. Upon the office of President in a manner which indicated that, in his judgment, he had been long destined to fill the place, and that the powers of the office were to be exercised by him without regard to the other departments of the government. In his proclamation of the 29th of May, and in all the proclamation relating to the same subject, he had assumed that in his office as President he was the "United States," for the purpose of deciding whether under the constitution the government of a State was republican in form or not although by a decision of the Supreme Court it is deciated that this power is specially vested in the two houses of Congress. In these proclamations he assumed, without authority of law, to appoint, and he did appoint, Governors of the several States thus organized. In fine, between the 29th of May, 1885, and the assembling of Congress in December, he informed the Senate and House of Representatives that the Union was restored, and that nothing remained for the two houses but severally to accept as Senators and Representatives such loval men as had been elected by the Legislatures and people of the seve

The the considerable pand reconstruction contained franchise to all toyal made citizens, and the exclusion from the frames or a portion of those who had recommended to the control of the a struggle winch lasted through many centuries. John Hampden was not the first nor the last of the patriots who resisted executive usurpation, but nothing could have been more inapplicable to the present circumstances than the introduction of his name as an apology for the usurpations of Andrew Johnson. "No man will question John Hampden's patriotism or the propriety of his acts when he brought the question whether ship money was within the constitution of England before the courts;" but no man will admit that there is any parallel between Andrew Johnson and John Hampden. Andrew Johnson takes the place of Charies I., and seeks to substitute his own will for the laws of the land. In 1636 John Hampden resisted the demands of a usurping and unprincipled king, as does Edwin M. Stanton to-day resist the claims and demands of an unprincipled and usurping President. The people of England have successfully resisted executive encroachment upon their rights. Let not their example be lost upon us. We suppressed the rebellion in arms, and we are now to expel it from the executive councils. This done, republican institutions need no further Hustration. All things then relating to the national welfare and life are made as secure as can be any future events. The freedom, prosperity and power of America are assured. The friends of constitutional liberty throughout Europe will hall with joy the assured greatness and glory of the new republic. Our internal difficulties will rapidly disappear. Peace and prosperity will return to every portion of the country. In a few weeks of

to our beloved land.

At four o'clock Mr. Boutwell, at the suggestion of Mr. Conkling, yielded to a motion to adjourn the court stating that, he would occupy about an hour and a half to-morrow; and accordingly the court, and immediately thereafter the Senate, adjourned. [Although Mr. Boutwell was unable to conclude the deliveryof his argument, we publish this morning the portion which will be delivered to-day.]

which time I trust the despatches themselves will have reached Engiand.

The information now received completely confirms the account of the route taken by Dr. Livingstone round the southern end of Lake Nyassa, which was brought home by the Livingstone Search Expedition. It appears that our great traveller proceeded northward at a long distance to the west of the lake, and in course of time arrived at Lobisa, formerly a thickly inhabited town, but now almost described. In these

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THE ERIE RAILWAY CASE.

The Alleged Contempt of the Brie Railway Directors—The Private Interview at Mr. Fleld's House Disclosed—Examination of

Before Judge Barnard.

The hearing of testimony in the contempt proceedings against Messrs Gould, Lane, Davis, Skidmore and Thomson, directors of the Eric Railway Company, was resumed yesterday morning in the Su-

bench he was observed to be engaged in writing on a number of papers before him.

signing orders of commitment in these cases.

Judge Barnard replied—Yes, sir.

they are signed? Judge Barnard-No, sir.

them, and "except" to your refusal to allow me to

Mr. Greene, the witness whose examination was not concluded on Tuesday, was then recalled. A question was put by Mr. Clark on the evening of that day requiring witness to state what took place in a private room of Mr. Field's residence at a con-Groesbeck and Mr. Field in relation to negotiations then pending for the purchase by Mr. Greene from Mr. Brew of \$5,000,000 worth of convertible bonds of the Eric Railway Company.

Mr. Pierrepont objected to the admission of this testimony, on the ground that it was a privileged communication as between Mr. Drew and Mr. Field (his counsel) referring to a negotiation to which witness was a party, and could not therefore be discounded.

After argument the court overruled the objection.

Mr. Clark yesterday morning proceeded to elicit
the answer by recapitulating to witness the incidents
preceding the visit to Mr. Field's house.

Q. You were asked the question, "What was said
and done there?" Please proceed with the nar-

preceding the visit to Mr. Field's house.

Q. You were asked the question, "What was said and done there?" Please proceed with the narrative.

A. We went up stairs into a second story back room, but finding it occupied we shortly went into a front room; Mr. Drew told Mr. Field what we wanted, and asked him to draw up an agreement; Mr. Field proceeded to do so, Mr. Drew and I having agreed that the price of the bonds should be seventy-five cents on the dollar in place of seventy-seven cents, as I stated yesterday; then occurred something between Mr. Drew, Mr. Groesbeck and myself about a commission that he allowed to me; I suggested it, Mr. Groesbeck seconded it; Mr. Drew demurred to it, as I supposed he would, and it was not arged; Mr. Field asked how and when these bonds were to be paid for; I agreed to pay five or ten thousand down, and he suggested that I should give my note or notes for the banance; I objected to giving my note; he asked me when I proposed to pay the balance; I replied when I shail have converted the bonds, soid the stock and received the money; Mr. Drew told Mr. Field to draw up an agreement in that way, and when it was completed Mr. Field read it to us; it expressed that I should give my due bill, payable in thirty days, for the balance of the purchase money; I declined peremptorily to accede to those terms; Mr. Field said it was strange, in a transaction of this magnitude, that the terms were not more specifically agreed upon, or words to that effect; I declined to give the note or due bill, and Mr. Field, as I have said, said it looked strange that in so large a transaction specific terms were not agreed upon; Mr. Drew then told him to go on, he was not afraid to trust me; when it was completed Mr. Field took it into a back room for the purpose, I suppose, of its being transcribed or copied, and I asked Mr. Field when he returned if it would be necessary for me to go to any court to be permitted to convert these bonds; he replied no, he expected to get a modification of the injunction;

cates; the certificates were fresh and clean looking: the transfers were made in the name of Fisk, Belden & Co.

S. W. Lapsley, stock broker, was next examined and testified that on the 9th of March he made sales of 10,000 or 12,000 shares of Erie stock; soid one lot of 5,000 shares for Heath & Co.

Horatio N. Otis, Secretary of the Erie Railway Company, was examined at great length. Witness testified that he signed some certificates of stock after an injunction had been served on him on the 3d or 4th of March at the company's office; the numbers of certificates were from 63,001 to 63,500; they had been aiready signed by the Vice President; they were filled up in the names of Fisk, Belden & Co., and Smith, Gould, Martin & Co.; the certificates, after being signed, were put in the vaulis; John A. Hilton, the transfer clerk, aiterwards took them out of the office, on the same day; he came back and told me they had been taken from him; he said that Mr. Fisk had taken them and run off with them; Mr. Hilton said this occurred in the adjoining room, the president's room; witness looked for Mr. Fisk, but could not find him; had seen Messrs. Davis, Diven, Fisk, Gould, Lane, Skidmore, Thomson and Drew there that day at a meeting of the board of directors.

Mr. Willard was recalled to identify one of the certificates, but failed to do so conclusively; said it resembled them in general appearance.

Mr. Otis' examination was then resumed. Witness was asked whether he knew that certain resolutions in the report used before the Senate Investigating Committee were adopted at the meeting of the board of directors, and who voted for them or against them. No further important testimony was elicited from this witness.

Mr. Field said that he had a reason for asking the court this worms.

them. No further important from this witness. Mr. Field said that he had a reason for asking the Mr. Field said that he had a reason for asking the that the same that

Mr. Field said that he had a reason for asking the court this morning to allow him to see the orders of commitment, but on looking over them he saw that the court had adjudged that Mr. Belden was not bound by the injunction. If that was so Mr. Belden would not object to answer the questions.

Judge Barnard said that, in view of the trouble Mr. Belden had given, he did not know whether he would discharge the commitments yet or not.

Mr. Field replied—Very well, sir. Mr. Belden is ready, however, to answer the questions now.

A recess of fifteen minutes was then taken, and on the reassembling of the court the examination of the witness was confinued.

Mr. Martin, of the firm of Smith, Gould, Martin & Co., examined, testified as follows:—I carry on the business of a stockbroker at No. Il Broad street; the firm of which I am a member consists of H. N. Smith, Jay Gould, myself and J. B. Bates; Mr. Jay Gould is one of the directors of the Eric Railway Company.

Q. Was your firm short of Eric stock about the 1st

Company.
Q. Was your firm short of Erie stock about the 1st of March last? A. No, sir.

of March last? A. No, sir, I
Q. Were you on the 17th of March? A. No, sir; I
do not understand your question.
Q. Was your firm short of Erie stock in March
last?
Mr. Field—Lobject. The question has no relevancy

Judge Barnard—It makes no difference whether the firm was short or not.

Mr. Clark—Except that it bears on the point of the parties' disobedience to your Honor's injunction.

Q. Did you sell any Erie stock on the 17th of March last?

Mr. Field objected, unless it was the particular stock in question, and it was contrary to the rule laid down to inquire into private affairs.

After some discussion on the point taken the examination was resumed and the question was omitted.

Q. Did you sell any Erie stock on the 7th March?

A. Not to my recollection.

Q. Did you on the 1th March.

ination was resumed and the question was omitted.

Q. Did you sell any Erie stock on the 7th March?

A. Not to my recollection.

Q. Did you on the 9th March, by your firm or through o'thers, sell any Erie Raliway stock?

Mr. Field objected on the ground that it was not the stock in question. Objection overruled.

A. Our firm did not sell any railway stock on the 9th March to the best of my recollection, and I give the same answer as to the 10th March; we may have received some Erie stock on the 9th or 10th March; we have a book in which the records of our stock are kept; that book is in the custody of the stock clerk.

Q. Can you state how much stock you may have received? A. We may have received some hundreds or some thousands, I don't know the exact amount, nor could I go near it without seeing the book; the partners do not always have knowledge of the receipt and delivery of stock.

Q. Look at that signature in that book (produced), and state in whose handwriting. It is? A. It appears to be Mr. Smith's handwriting.

Q. State whether the stock referred to in that receipt was or was not received by your firm on the 9th of March or on some other day? (No answer.)

Mr. Clark asked the court to compel the witness to answer.

Judge Barnard—Answer the question. It is high

Mr. Clark asked the court to compel the witness to answer.

Judge Barnard—Answer the question. It is high time that this should stop.

Answer—Yes.

Q. From whom did you receive it? A. From Mr. Smith, at our office, between twelve and one o'clock; I do not know for whose account we received it; I signed the stock and delivered it to Mr. Smith.

Q. Do your books show what disposition was made of that stock? No answer.

Mr. Clark submitted there was an intended reticence on the part of the witness.

Judge—Unless he answers the question I will commit him.

Judge Gilbert did you expect to receive this

Q. How soon after you swore to that complaint did you hear of an injunction having been issued by Judge Gilbert? A. I don't know, sir.

The witness' further examination was here interrapted and Mr. Shearman called to the stand to testify with reference to the issuance of the injunction to injunction in question; counsel undertaking, as claimed, to show that a conspiracy had been emered into teochain the injunction issued by Judge Gilbert.

At the close of a discussion on the question of Mr. Shearman's connection with Mr. Fleid, one of the counsel in the case.

The Court said—In this wide city of a million or a milion and a half of inhabitants, where a man can be hired for \$1 to swear any man's life away, there is not one so base as to come upon this stand and awear that I had anything to do with any conspiracy.

Judge Gilbert, of the Supreme Court, Brooktyn, was next called, and testified as follows:—I remember granting an injunction on the 9th of March; the application was made to me at my house by Mr. Jenks; I told him I would not grant the injunction as applied for so far as related to interfering with any injunction issued by Judge Earnard; Mr. Jenks informed me that Mr. Fleid was outside in a carriage, and I immediately requested him to come into the parior; I don't remember that anything was said by him; the words 'cona fade'' in this injunction (handed to the witness) are in my handwriting; the words in pencil, "This is not to interfere with the judicial functions of said Barnard," are also in my handwriting; I did not read the complaint before granting this minunction; it was read by Mr. Jenks; I presided at the Special Term for the Second district when the hearing took place upon the order to show cause; two amidavits were read to me by Mr. Jenks; I think the whole of the complaint before granting this manual to the effect that a large amount of bond and stockholders of the Erie Railway Company having bonds convertible into stock would be injunction; it was made to me of the convertible to the case of

CITY INTELLIGENCE.

hundred and fourth anniversary of the immortal bard whose writings now breathe as much of life as when with the glow of inspiration and of gening they were coined from the poet's brain. Little or no preparations, however, have been made to celebrate the event. No statue is yet erected to the bard of the event. No statue is yet erected to the bard of Avon in our much admired Park, though we are promised that with the next anniversary that much desired wish will be gratified. There is not a Shake-pearian play announced at any of the theatres tonight. The only commemoration of the birthday of the poet will be the grateful remembrance in which his memory will ever be held by all who read and speak the English tongue.

Fire Commissioners.—In consequence of the absence of the Fire Commissioners at Albany, the usual Wednesday meeting was postponed. As the business to occupy their attention is very light, no interest will suffer from the delay.

Collision of a Flerr of Schooners in the East River.—Yesterday, between four and five

EAST RIVER.—Yesterday, between four and five o'clock, the tide running heavily and there being no wind, nine schooners and a lighter (six in one group) drifted toward pier 41 East river, where they collided, causing much damage to the rigging and hulls of several of the vessels. Two schooners lost their jibbooms and another had all the rigging on the port side torn away. Others sustained damage, but to what extent is not known. A vessel, loaded with coal, struck the pier and was so injured in her hall that she began to fill rapidly, and, while being towed across the river to the Wallabout, sank. Her name could not be ascertained. When the tide is running in or out of the East river, and no wind, it is at three impossible to prevent sailing vessels from drifting to the shore near the above named pier and colliding.

Police Trials Yesterday.—The Board of Police

Commissioners met yesterday, or rather Thomas came up:-Thomas Stephens, a baker, complained against officer Cornelius Weston for faise arrest. The officer's excuse was that at the time and place in question several persons had lost their pocketbooks and the baker anawered the description given of one of the thieves. He therefore held him for further examination. Captain Stearns was complained against by a woman keeping a pawnshop, for the purpose of ascertaining what had become of certain property taken from her by the police. The Captain replied that William Smart had been convicted of burgiary in Kings county, and this property being part of the proceeds, was held by District Attorney Morris or had been returned to Mr. Archer, the loser. Officer Gardener was charged by Feitx Mulen, a sailor, with using his club too freely. Gardener denied the clubbing, admitted necessary violence and brought witnesses to prove the facts. Officer Doran was charged with not discovering a burglary that had taken place on his post; but there was no evidence to inculpate the officer with neglect of duty. Officer Charles E. King was charged with not arresting a man at the complaint of Richard Morgan. The officer stated that he did arrest the man, but when he looked for Morgan he was gone. Mr. Acton censured the officer for not detaining Morgan at the same time. Several other cases were called; but there were no witnesses, and they were therefore laid over.

Enlargement of the City Grammar Schools.—New wings are to be added to the grammar schools. against officer Cornelius Weston for false arrest. The

New wings are to be added to the grammar schools in Marion street, Mott street and Fortieth street, and they are to be otherwise considerably enlarged. SALE OF THE STEAMERS OF THE HUDSON STEAM-

BOAT COMPANY.—The favorite steamers Sunnyside and Sleepy Hollow, so well known upon the Hudson, are to be brought, next week, under the auctioneer's

STEAMER RUSSIA.—Yesterday the Cunard Company's steamer Russia left this port with \$310,000 in species and a full cargo of cotton and grain. There were sixty-six cabin passengers, among whom were Dickens, Major Anderson, of Savannah, Rev. Mr. Dyer and family, and an unusual number of Misses, some thirty altogether. NEW MEXICAN MAIL STEAMSHIP LINE.—A contract

New Mexican Mail. Steamship Line.—A contract has just been completed between the Mexican government and the New York and Mexican Mail Steamship line, just organized in this city, for the conveyance of the mails and passengers between this port, Havana, Sisal and Vera Cruz. The new steamship Nevada, lately of the Savannah route, Commander McGill, will make her first voyage out on Friday, to be followed at intervals by other vessels.

The Surrogate's Court.—This court has been

moved from the building at the corner of Spruce street and Park row to the new Court House, and for the present the court will be held in the room on the northeast corner of the first building, commencing at eleven o'clock each day.

MASONIC SCHOOL AND ASYLUM FUND.—A lecture in

behalf of this fund will be delivered this evening at Steinway Hall. Subject—"Crete and the Cretans."

A DEAF AND DUMB MARRIAGE.—An interesting

A DEAY AND DUMB MARRIAGE.—An interesting wedding ceremony took place yesterday at three P. M., at St. Ann's church, in Eighteenth street, near Fifth avenue, the bridegroom and bride being both deaf and dumb. The bridegroom was Robert H. Bailey, clerk in the Surrogate's office, and the bride miss thattie Cornell, niece of ex-Street Commissioner and ex-Senator Charles G. Cornell. Rev. E. Benjamin read the ordinary Episcopal marriage service, which was translated into the sign language by Rev. Mr. Gallaudet, the well known preacher in the deaf and dumb language. Both bride and bridegroom are graduates of the Deaf and Dumb institution of this city. There was a large and fashionable concourse present.

SUPREME COURT—CIRCUIT.—Nos. 283, 303, 927, 703, 1103, 523, 929, 1217, 1219, 1221, 1223, 1223, 1227, 1229, 1233, 1235, 1236, 1236, 1241, 1243, MARINE COURT—TRIAL TERM.—Nos. 926, 927, 928, 672, 709, 730, 712, 886, 674, 828, 758, 916, 900, 901, 902, 903, 924, 965, 906, 907, 908, 909, 970, 972, 978, 974, 975, 976, 977, 978.
SUPREMOR COURT—TRIAL TERM.—Nos. 3407, 3835, 3896, 3721, 3807, 3871, 3873, 3875, 3877, 1381, 3883, 3885, 3889, 3891, 3893, 3903, 3904, 3903, 3964, 3909, 3742, 3930, 3406, 3613, 3890, 3964.